

August 17, 2021  
Zoning Commission  
Planning Staff Review

### **Applications:**

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- I. *Text Amendment - Petition of 24 SURF AVENUE LLC seeking to amend the Zoning Regulations by creating a new §30 titled "Surf Avenue Housing Zone"*
- II. *24 Surf Ave - Petition of 24 SURF AVENUE LLC seeking a Site Plan Review & Change of Zone from a RM-1 to the proposed Surf Avenue Housing Zone*
- III. *24 Surf Ave - Petition of 24 SURF AVENUE LLC seeking a Site Plan Review under the proposed §30 of the Zoning Regulations to construct a 3-story, 45-unit affordable housing development pursuant to §8-30g of the CGS on a property located in a RM-1 Zone*

### **Discussion:**

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#### Introduction

The applicant has submitted a three-part application. (I) First, the applicant is proposing to create a new section of the Zoning Regulations entitled, "Surf Avenue Housing Zone" (SAHZ), under proposed §30 of the Zoning Regulations. The proposed text in §30 would only apply to the parcel located at 24 Surf Avenue and to no other parcel. (II) Second, the applicant is seeking to change the zone from an existing RM-1 Zone to the proposed SAHZ designation. (III) Thirdly, the applicant is seeking an approval of a Site Plan Review to construct a 3-story, 45-unit affordable housing development pursuant to §8-30g of the Connecticut General Statutes.

Inclusionary affordable housing developments help support low-income residents that face increasing costs related to rent and cost of living, particularly here in the State of Connecticut. Through the thoughtful design of site layout and construction, a balanced mix of uses and proximity to public transportation, affordable housing developments can become valuable assets to the community and all of the Town of Stratford's residents. In addition to the comments below, the Zoning Commission should consider if the proposed applications 1) help to contribute in a positive way to the affordable housing stock in the Town of Stratford and 2) if the project endangers any public interest and whether this outweighs the need for more affordable housing.

#### Text Amendment

As part of their application, the applicant has submitted the proposed text amendment that would create a new §30. The Commission may choose to consider the following comments:

1. Regarding 30.1.1, the text indicates the proposed housing is energy-efficient. The applicant should explain what measures are being taken that increase the developments energy efficiency.
2. Regarding 30.1.3, the mention of ARHZ should be changed to *SAHZ* to be consistent with the subject application.
3. Regarding 30.5(d), the proposed text should be changed to *Wayfinding and Site Identification Signs Only*.
4. Regarding 30.6, the proposed density appears to be quite intense for such a small property. At approximately 25,411 sf of lot area, the proposed density equates to roughly 77 units per acre. Under §5.3.5 of the Stratford Zoning Regulations, the standing allowable number of units per 40,000 ft<sup>2</sup> in a RM-1 Zone is 11.5. The applicant is proposing a development that far greater than the allowable units per acre and is somewhat out of character for the neighborhood.
5. Regarding 30.7.3, the proposed maximum impervious area is 90% and current development proposes 86%. The applicant should consider alternatives to reduce the total impervious area. By making driveways to the site one-way, the project could increase its open/green space and additional shade tree areas would be possible. Additionally, pervious parking pavers should be considered as the project would not need to reduce the building/parking area footprints.
6. The applicant has chosen *24 Surf Avenue, LLC*, Inc as the entity responsible for administration and compliance with project. It should be clear that the Town expects a qualified, independent firm be selected, at the applicant's/owner's expense, to verify all affordable units and potential tenants qualify for residence. How is the proposed administrator qualified to manage the administration and compliance of the affordability plan submitted? A list of qualified affordability managers, which has been provided by the Connecticut Department of Housing, can be obtained in the Stratford Office of Planning and Zoning.
7. Regarding 30.8.1, the text indicates that the project will be compliant with all town ordinances and regulations regarding stormwater. It is assumed and should be conditioned that any subsequent development will comply with the Town of Stratford's MS4 Stormwater Management Plan. The Zoning Commission may choose to have the applicant elaborate further as to this project's compliance with the Town's MS4 Permit.

*Text Amendment's Consistency/Inconsistency with POCD*

1. *Community Character*
  - a. Identify opportunities for redevelopment and revitalization of character areas.
    - i. **This text appears to be consistent with this objective.**
2. *Population & Housing*
  - a. Provide rental as well as owner-occupied housing.
    - i. **This text appears to be consistent with this objective.**
  - b. To reach the State's target that 10% of the Town's housing stock be affordable.
    - i. **This text appears to be consistent with this objective.**

- c. The preservation of neighborhood and community character will be a primary consideration when approving the design of residential development.
  - i. **The Zoning Commission should strongly consider any recommendations made by the Architectural Review Board to ensure consistency with the above objective.**
- d. Support development efforts to create well designed affordable housing units, particularly within mixed-use developments proportionately scaled to neighborhoods in which they are located.
  - i. **This text appears somewhat inconsistent with the above action step as the density is somewhat intense and no mixed-use is being proposed.**

### 3. *Transportation*

- a. To increase opportunities for residents to use alternative forms of transportation including bicycles, walking and public transportation.
  - i. **The text appears consistent with this objective**
- b. To promote transit-oriented and mixed-use development to lessen reliance on automobiles.
  - i. **The text appears somewhat inconsistent with this objective as this project is strictly residential.**

Consistency/Inconsistency with POCD Summary - Although the proposed amendment is somewhat inconsistent with certain objectives, policies and action steps identified in the POCD, the amendment as a whole appears to be substantially consistent with the Town's Plan of Conservation and Development.

### Change of Zone from RM-1 to SAHZ

A zone change is also being requested for the property located at 24 Surf Avenue. The current zone is a RM-1, consisting of single and two-family dwellings. Residence apartment buildings are permitted subject to the limitations of Sec. 5.3. of the Zoning Regulations and approval of the Zoning Commission as a Site Plan Review.

- 1. *Community Character*
  - a. Identify opportunities for redevelopment and revitalization of character areas.
    - i. **This text appears to be consistent with this objective.**
- 2. *Population & Housing*
  - a. Provide rental as well as owner-occupied housing.
    - i. **This text appears to be consistent with this objective.**
  - b. To reach the State's target that 10% of the Town's housing stock be affordable.
    - i. **This text appears to be consistent with this objective.**

- c. Support development efforts to create well designed affordable housing units, particularly within mixed-use developments proportionately scaled to neighborhoods in which they are located.
  - i. **This text appears inconsistent with the above action step as the exterior design could be improved, the density is somewhat intense and no mixed-use is being proposed.**
- 3. *Transportation*
  - a. To increase opportunities for residents to use alternative forms of transportation including bicycles, walking and public transportation.
    - i. **The text appears consistent with this objective**
  - b. To promote transit-oriented and mixed-use development to lessen reliance on automobiles.
    - 1. **The text appears inconsistent with this objective as this project is strictly residential.**

#### Zone Change Consistency/Inconsistency with POCD Summary

Although the proposed zone change is somewhat inconsistent with certain objectives, policies and action steps identified in the POCD, the amendment as a whole appears to be consistent with the Town's Plan of Conservation and Development.

#### Site Plan Review

It appears as though the subject application is complete and meets all the required criteria defined in §20.2.2 and §20.4. The following comments should be considered prior to rendering a decision on the Site Plan Review application:

- 1. The curb cuts nearest to Surf Avenue appear to be quite close to the corners of Avon St and Allen St. The Commission may choose to inquire how cars can safely enter and exit the driveway under the building while being so close to the corners. Will one-way driveways reduce dangerous conflicts given the amount of daily morning/afternoon peak hour trips on Surf Ave?
- 2. Given that there are various obstructions in the existing sidewalk (utility poles and hydrants), the Commission should require the applicant to increase the size of the sidewalks to 4 feet (Town standard) in width from any obstruction.
- 3. All below recommendations provided by the Architectural Review Board should be strongly considered as conditions of approval:
  - a. *Revise the planting list to remove barberry and replace it with something noninvasive*
  - b. *Include massing of the sprinkler room to tie-in with the main building*

- c. *Screen the utility room*
  - d. *Articulate the building with shake shingles*
  - e. *Provide rain leaders on the side of the building*
  - f. *No plumbing vents should come through the mansard roof*
  - g. *Consider a one-way drive to allow more green space*
  - h. *Look at column sizes and spacing*
  - i. *Look at the size and scale of the building gables based on those in the neighborhood*
4. A brick or decorative dumpster enclosure should be considered as it is visible from the street and abutting neighbors.
  5. The total number of units seems to be somewhat intense for such a small site, which is just over a ½ acre. The typical density allowed for this site identified in §5.3.3 would be 7 units. While understanding the development formula changes somewhat when considering the economics of an affordable housing development, the proposed 45 units seems excessive. Reducing the number of units would minimize impacts to the Town, neighborhood and environment. As a reference, a similar project with similar lot area, located at 608 Ferry Blvd, was approved for 20 residential units. A reduction of 1 full story would likely bring the density down to a more acceptable level.

### **Erosion & Sediment Controls Review**

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Regarding the Erosion and Sediment Control application, the following conditions of approval should be considered:

1. All necessary siltation and erosion controls shall be in place and the Zoning Enforcement Officer notified for an inspection prior to any site/construction work being performed.
2. Immediate on-site modifications shall be employed when an erosion problem develops.
3. In evaluating this application, the Commission has relied on information provided by the applicant and, if such information subsequently proves to be inaccurate or incomplete, this approval may be modified, suspended or rescinded.
4. The applicant shall submit a more detailed plan for fugitive dust control, to be provided to the Zoning Enforcement Officer prior to building demolition activities.

### **Conclusion**

The Office of Planning and Zoning and the Town of Stratford support the expansion of a well-designed and appropriately located affordable housing stock within the town. Such quality affordable housing developments should be integrated with cost saving public services such access to public transportation and the regional transit network, walking/biking proximity to schools, grocery stores and other services valued by affordable housing candidates. Applications that look to establish affordable housing developments should adhere to the proper local

procedures in place to ensure all elected commissioners and Town officials can make effective decisions to either approve or deny such applications. After a full review of this application, it appears as though the proposed development is complete, substantially consistent with the housing goals identified in the 2013 POCD, and fulfills the intent of the affordable housing statutes.

A handwritten signature in black ink, appearing to be 'J. Habansky', with a stylized, cursive script.

Jay Habansky, AICP  
Planning & Zoning Administrator